

HAMILTON COUNTY BOARD OF AVIATION COMMISSIONERS
JULY 14, 2005

The Hamilton County Board of Aviation Commissioners met on Thursday, July 14, 2005 in the Commissioners Courtroom in the Hamilton County Government and Judicial Center, One Hamilton County Square, Noblesville, Indiana. The commissioners met in Executive Session in Conference Room 1A at 5:30 p.m. President Kapostasy opened the public meeting at 6:30 p.m. Roll Call was taken with Tom Kapostasy, Jon Ogle and Don Silvey present. Tim Tolson was absent.

Approval of Minutes

Jon Ogle motioned to approve the minutes of June 2, 2005. Don Silvey seconded. Motion carried unanimously.

Public Hearing

Relocation of Instrument Landing System Glide Slope Antenna and Re-grading of Runway Safety Area

Tom Kapostasy opened the public hearing for the relocation of the Instrument Landing System Glide Slope Antenna and Re-grading of Runway Safety Area. No public comments. Tom Kapostasy closed the public hearing.

Bid Opening

Airport Improvement Project 2005

Darren Murphy opened the bid for the Airport Improvement Project 2005. Division "A" Tee-Hangar Taxiway. Division "B" Construct Corporate apron. Alternate No. 1 – Runway "18-36" Crack Repair. Only one bid was received. Form 96, Non-Collusion Affidavit, Bid Bond and Financial Statement was included. 1) Rieth-Riley, Inc. Div."A" - \$252,800.15. Div. "B" – no bid. Alternate No. 1 – additional \$76,000. Don Silvey motioned to accept the bid and forward the bid to Mid-States Engineering for review. Jon Ogle seconded. Motion carried unanimously. Engineer's Estimate is Division "A" - \$135,000. Division "B" - \$365,000. Alternate No. 1 - \$33,000.

Tom Kapostasy asked if there is any direction the Board should take regarding no bid for Division B? Tom asked if we should re-advertise or are we allowed to re-negotiate with the primary bidder or are we required to have another sealed bid? Darren Murphy stated with no bid present he thinks we would be allowed to re-negotiate with the contractor. Larry Creakbaum stated he has experienced this in the past and he would like to re-negotiate with the bidder. Tom Kapostasy asked if he needs a motion to begin contact with the bidder? Larry Creakbaum stated he would like to take time to review the bid and call other contractors and find out why there were no other bids. He is pretty confident that he will recommend rejecting the bid. He would like to compare the prices during the meeting and come back later in the meeting.

President's Report

Aerofinity Meeting

Tom stated he and Don met with representatives of Aerofinity in regards to their representing Indianapolis International Airport and their interest in Hamilton County aviation. Aerofinity did not have any strong findings, they were unable to find any specific plans by private or public entities for the re-location of Indianapolis Metro Airport or any other major airport expansion. We discussed the role of Indianapolis Executive Airport, the Indianapolis International Airport wishes us well and was glad there is a

reliever airport for their airport. At this point there does not appear to be any eminent actions by Indianapolis International Airport in terms of Indianapolis Metro Airport.

Public Relations

Montgomery Aviation has engaged Ray Rice to do public relations work for them. Tom has met with him to understand what his services might be.

Zionsville Community Schools

Tom stated he sent a letter to Zionsville Community Schools asking them to reconsider their decision to locate a elementary school within 1 mile of the south end of the runway.

Westfield

Tom has not made contact with Westfield in regards to being involved with Westfield's Master Plan. Tom has sent a letter to Westfield expressing the Aviation Board's interest in participating in the design of the Master Plan.

Annual Report

Tom asked for comments on the draft of an annual report summarizing what happens in the Aviation Board meetings so the county council and county commissioners will have a better understanding of what the Board has been doing.

Name Change

Tom sent a letter to the Hamilton County Commissioners regarding the study that was done regarding the name change of the airport.

Community and Public Relations Committee

Committee did not meet. The Hamilton County Convention and Visitors Bureau has agreed to fund a marketing study for the airport. An RFP has been issued with a return date of July 22, 2005. The visitor's bureau is more interested in setting up the marketing strategy rather than funding promotions, etc. They have indicated that for the 2006 year to the extent the study identifies areas that there is a joint interest in the airport and tourism in Hamilton County that they would be willing to pursue those items. Brad Beaver asked what was agreed to be funded? The convention and visitor's bureau agreed to fund a marketing study. The original estimate was \$20,000 but an amount was not put in the RFP so the visitor's bureau could determine what specific amount they would go to county council for their final appropriation. Brad stated this will not come out of their funds, they are coming to council for an additional? Tom stated they said it would require an additional appropriation but they also said they had money budgeted that would be able to fund this. The RFP is contingent on funding. Tom Kapostasy will be accepting the RFP's.

Government and Legal Relations Committee

Boone County Commissioners Meeting

Tim Tolson has been contacted by Betty Lou Cooper, Boone County Commissioner and they have asked the Aviation Board to meet with them to discuss general airport issues. The meeting will be held on August 8, 2005 in Boone County.

Finance, Planning and Administration

Budget Hearing

Budget Hearing is scheduled August 17, 2005 at 8:30 a.m. Jon Ogle will represent the Board. Tom has sent a recommendation to Kim listing possible budget cuts if necessary.

Capital Improvements Committee

Capital Improvements

Tom presented a summary of the minor, large and TIF capital projects as discussed by the Board. No immediate action is required.

Site Development Committee

Chance Aviation

Chance Aviation distributes aircraft parts on a global basis and has been in business since 1996. Currently they are located next to Indianapolis International Airport. 80% of their customers are located outside Indiana. They would like to build an 8,000 square foot building on an airport. They have no intent to perform aircraft maintenance. There is a benefit to being located on an airport. A lot of their customers fly in, pick up parts and then fly back home. They have been renting a facility and would like to own their own building. Norm Chance stated he has seen the lease and he is favorable with those terms. They want to make sure they fit within the zoning requirements. Chance Aviation is very committed to being at IEA. They are waiting for Mid-States Engineering to determine the best location for their building and then he will submit a tentative building plan. Their current facility lease is not up until early or mid 2006 and it can be extended six months if needed. He would like to be in a new facility by late 2006. Boone County Planning has sent a letter to this board stating that this business would fit into the zoning regulations at IEA. Mid-States will need a rough draft site map of what they are intending to do. Mid-States will be able to look at this after mid-August.

Mound System

Tom stated as we are looking at the corporate hangars, both east and west side, and looking at laying out two separate mound systems, does it make sense to talk to Hamilton County or the water utility in Hamilton County about extending a sanitary sewer line from the Hamilton County side to the airport area. There is an existing line about 2 miles east. Jon Ogle suggested contacting the Boone County Plan Commission to find out if sewer will be coming any closer to the airport. Dan Montgomery stated he is having trouble getting a septic permit due to the amount of septic systems that now exist. Larry Creakbaum stated we need to look at the entire airport. Tom stated this is not an immediate need but we need to look at considering looking at a larger comprehensive mound system in two stages or look at connecting to existing sewer lines.

Ray VanSickle stated he looked into the possibility of bringing sewer lines from Westfield and the estimated costs were \$1 million. Ray suggested speaking to Betty Lou Cooper and ask for consideration by Boone County to create a wastewater district out there. Let a private utility take care of the initial costs. Westfield expressed interest in allowing a wholesaler to connect to their plant. The right of way is there with the water company. Need to look 20 years down the road.

Indianapolis Executive Airport

Estopple and Consent

Dan Montgomery requested signatures on the Estopple and Consent for Montgomery Aviation and Taft Aviation. Montgomery Aviation is changing banks. Dan asked if the Board could allow Tom Kapostasy to sign these in the future so there are no delays in signing the documents. Jon Ogle motioned to allow the President to sign these types of documents after reviewed by the attorney. Don Silvey seconded. Motion carried unanimously. Kim Rauch reminded Tom that she will need a copy of any document signed outside of a meeting.

FCC Exemption Letter

Dan requested approval and signature on a letter to the FCC stating that the airport is now owned by a municipality. Jon Ogle motioned to allow the President to sign the letter to the FCC stating that the airport is owned by a municipality not a private individual. Don Silvey seconded. Motion carried unanimously.

Hanger Floor

Dan stated he received an estimate on heating the floors in his hanger and he has decided not to do it.

Quarterly Payment

The 2nd Quarter Payment for \$10,000 was given to Kim Rauch.

Rule 6 Compliance

Tom stated the funding for Rule 6 compliance was not able to be placed in the 2006 Budget. It appears we have some monies in the Board budget that could be used for those services. There is approximately \$8,000 - \$9,000 available. Tom stated he would like to do it this year.

Hanger Use

Dan asked if he could use the stand alone orange hanger for storage for of the airport equipment. Jon asked if that is the best use of that building at this time? Dan stated yes, it is not big enough for an airplane. Jon Ogle motioned to allow that use for the building. Don seconded. Motion carried unanimously.

Used Fuel Tanks

Tom asked if there has been any progress at looking at the used fuel tanks for the airport? Dan stated they are still being used and he has not had time to look at them.

Groundbreaking

The groundbreaking for the new Montgomery Aviation buildings will be July 25, 2005 at 10:00 a.m.

Septic Permit

Dan is waiting for the septic permit design from the State.

Robkey Hanger

Tom stated Montgomery Aviation has been talking to potential corporate hanger tenants. Our constraint is that we don't have the corporate taxiway scheduled to be built until 2007. There is an issue on trying to locate a large hanger and be able to connect to the hanger. Carl Winkler stated Robkey's want a place to put airplanes and they want to purchase a jet. Robkey's are willing to use a grass taxiway with the understanding we would bring a taxiway to him eventually. Robkey's want a gravel road available to them. They could be put by the retention pond where there is a gravel road on the far southwest end of the property that we could tie in to. Robkey has the money and will work quickly if we can get them a location. The building would be approximately 100' x 100' or 100' x 160'. Robkey is willing to use a port-a-pot until the septic system is worked out. Larry Creakbaum stated they could probably work something out. Tom stated as a board we could make a commitment that we intend to build a corporate taxiway. It is in our master plan, we have discussed funding, it is a priority of our capital planning. Jon Ogle moved a resolution that we take a good look at the situation and form a proposal to Mr. Robkey as to what we are willing to do and an open ended time frame for that activity. Larry stated he can't make a commitment to look in to this until after August. Don seconded and asked that Carl convey that information back to Mr. Robkey. Motion carried unanimously.

Mid-States Engineering Report

Invoice

Larry Creakbaum presented an invoice for work done on the mound system, to date, in the amount of \$3,880.00. Jon motioned to approve. Don seconded. Motion carried unanimously.

Bid

Larry stated he has reviewed the bid received tonight. He would like to take the bid under advisement. He would like to talk to the contractors to see what happened. Larry requested authorization to pick a couple of contractors and start discussions on a negotiated contract for Division "B". Jon motioned to approve. Don asked if the Board should consider authorizing Larry to re-advertise before the next meeting, if the bid is thrown out? Larry stated the next meeting is a timely meeting, until he talks to the contractors he does not know what they might do. Don seconded. Motion carried unanimously.

Sale of Mid-States Engineering

Larry stated Mid-States Engineering is going to be sold to Woolpert. This will not affect any services. The sale should provide better service as Woolpert is heavy in aviation.

FAA Grant

Tom asked if we have received any news of receiving a grant from the FAA this year? Larry stated we will be receiving a grant this year.

Larry stated the grant project will be for the site preparation for the glide slope and RSA grading. We are not going to move the glide slope. The contract will include the design of the parallel taxiway and the 405 Survey. When we get the survey done we will have a separate project for moving the glide slope. It will also include the acquisition of another piece of property, the cost incurred in the trade of the Bailey property and what ever is left over will go towards the payment of the original purchase.

Environmental Reclamation

Tom stated during the original purchase of the airport money was set aside for environmental reclamation. Are there any environmental issues at the property that could be combined with the earth moving work projects. Larry stated as far as he knows there is no environmental issues. It was more for an insurance policy.

Correspondence

Tom stated the board received two letters, one to Zionsville Schools from Ray VanSickle's representatives regarding the issues of noise sensitivity materials for the proposed elementary school.

The second letter is from Betty Lee Cooper, Boone County Commissioner, regarding her role in promoting the airport.

Ray VanSickle commended the Board in their first step of sending a letter to Zionsville Schools. He would further ask why this only addresses the school and not the residential development in Abbitt Farms. In getting Dan Montgomery's building permit we essentially broke the Boone/Hamilton County Homeowners Association's back and left them \$40,000 in debt. This noise issue is a nationwide problem. There is a movement to ban Stage 1 and Stage 2 jets. It will be brought before Congress, if this group of about 15 airport owners has their way. They have not done their jobs regarding land planning outside of their airports. This Board has the opportunity to do that. Ray has sent a copy of a letter to Coral Gables, that gives the board the authority, under federal law to protect your airport. He would suggest the board use it. Ray suggested they ask Boone County to reconsider changing the R2 zoning back to Ag. There is a better use for that property; you don't want people sleeping in there. There is an interested party wanting to put something else on that property. Tom asked, regarding the Coral Gables letter, what is the specific law, court ruling that we would point so our legal counsel could advise us? Ray stated you would have to ask the Chief Counsel's office in Washington D.C.

Legal Counsel Report

Board Membership

Darren Murphy stated IC 8-22-21 amended July 1, 2005 added Subsection G which states that the fiscal body of an eligible entity may adopt an ordinance or resolution providing that the aviation board may consist of five members. If the board consists of five members, not more than three members may be of the same political party. The fiscal body would adopt the resolution to add a member; the commissioners would make the appointment. There is a residency requirement so the new member would have to be a resident of Hamilton County.

Property Issues

Darren Murphy presented a written report from Mike Howard regarding ongoing property issues.

Tall Structures and Noise Sensitive Issues

Mike Howard drafted a letter addressing tall structures and noise sensitive issues which would be sent to the Boone County Commissioners. Don Silvey motioned to send the

letter as recommended by the attorney. Jon Ogle seconded. Motion carried unanimously.

Property Taxes

Tom asked why was the airport paying property taxes and now there is no line item? Kim Rauch stated taxes are paid in arrears and we had to pay the taxes the first year. Now the airport is exempt from property taxes.

County Council Concerns

Brad Beaver stated he has had a couple of councilors speak to him with questions regarding the airport. One issue is the proposed construction of the elementary school. The letter sent by Tom to the schools is good. He will make a copy for the Council. The draft annual report is good. Brad encouraged the Board to put the report in non-draft form and send copies to all county councilors. Brad asked why are you meeting with a consultant? Don stated they contacted us and other Hamilton County officials searching for information on what was happening with aviation in Hamilton County. Brad asked Tom to expand on that meeting in the annual report. Brad asked the Board to request from Commissioner Dillinger as the county's representative on the Indianapolis Airport Authority Board, an official written statement on what their position is on Metropolitan Airport. Brad suggested sending copies of Mike Howard's letter, Tom's letter to the schools and the annual report to the county council, which should alleviate their concerns.

Jon motioned to adjourn. Don seconded. Motion carried unanimously.

Present

Tom Kapostasy, President
Jon Ogle, Vice President
Don Silvey, Member
Brad Beaver, Council Liaison
Darren Murphy, Attorney
Kim Rauch, Secretary
Larry Creakbaum, Mid-States Engineering
Mike Evans, Mid-States Engineering
Dan Montgomery, Montgomery Aviation
Carl Winkler, Montgomery Aviation
Mike Evans, Montgomery Aviation
Norm Chance, Chance Aviation
Ray VanSickle
Jeff Apple, Sheridan Airport

Approved

Tom Kapostasy, President

Date: _____

Attest

Kim Rauch, Secretary

Date: _____

